

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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| WILLIAM FRANCIS, JR. | : | |
| | : | |
| Plaintiff, | : | C.A. No.: 07-015-JJF |
| | : | |
| v. | : | |
| | : | |
| WARDEN THOMAS CARROLL, | : | |
| CORRECTIONAL MEDICAL SERVICES : | : | TRIAL BY JURY OF |
| STAN TAYLOR, and JOYCE TALLEY, | : | TWELVE DEMANDED |
| | : | |
| Defendants. | : | |

**STIPULATION REGARDING
JOINDER IN MOTION TO TAKE DEPOSITION OF PLAINTIFF**

COMES NOW, Defendant, Correctional Medical Services, Inc, (hereinafter “CMS”) and Co-Defendants Thomas Carroll, Stan Taylor, and Joyce Talley (hereinafter “State Defendants”), by and through their undersigned counsel to hereby stipulate to CMS’s joinder in the Motion to Take the Deposition of Plaintiff (DI 54 & 55) that was filed by the State on April 29, 2008 and noticed for hearing on June 6, 2008 @ 2:00 p.m. (the “Motion”).

All terms and provisions of the Motion are fully incorporated herein.

An Amended Order is attached hereto.

Date: May 2, 2008

/s/ Eileen M. Ford
Megan T. Mantzavinos, Esquire (3802)
Eileen M. Ford, Esquire (4846)
Marks, O’Neill, O’Brien & Courtney, P.C.
913 Market Street, Suite 800
Wilmington, DE 19801
(302) 658-6538
Attorney for Defendant
Correctional Medical Services

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

/s/ Ophelia M. Waters

Ophelia M. Waters, (ID. #3879)

Deputy Attorney General

820 N. French Street, 6th Floor

Carvel State Building

Wilmington DE 19801

(302) 577-8400

Ophelia.waters@state.de.us

Date: May 2, 2008

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| | : | |
| Defendants. | : | |

AMENDED ORDER

Upon consideration of the joint motion (by stipulation) of the State Defendants and Correctional Medical Services, Inc., for leave to take the deposition of Plaintiff (the “Motion”); and it appearing that good and sufficient notice of the Motion has been given; and after due deliberation thereon:

IT IS HEREBY ORDERED as follows:

The Motion is **GRANTED**.

SO ORDERED this _____ day of _____, 2008.

Judge

IN THE UNITED STATES DISTRICT COURT
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| Plaintiff, | : | C.A. No.: 07-015-JJF |
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| WARDEN THOMAS CARROLL, | : | |
| CORRECTIONAL MEDICAL SERVICES : | : | TRIAL BY JURY OF |
| STAN TAYLOR, and JOYCE TALLEY, | : | TWELVE DEMANDED |
| | : | |
| Defendants. | : | |

7.1.1 CERTIFICATE OF COUNSEL

Undersigned counsel hereby certifies, pursuant to Local Rule 7.1.1 that:

1. Plaintiff, William Francis, Jr., is currently incarcerated and it is not practical for undersigned counsel to communicate with him concerning Defendants' Motion for Leave to Depose Plaintiff.

2. Therefore, undersigned counsel assumes that the Motion/Stipulation is opposed.

| | |
|-------------------|--|
| Date: May 2, 2008 | <u>/s/ Eileen M. Ford</u> Megan T. Mantzavinos, Esquire (3802) Eileen M. Ford, Esquire (4846) Marks, O'Neill, O'Brien & Courtney, P.C. 913 Market Street, Suite 800 Wilmington, DE 19801 (302) 658-6538 Attorney for Defendant Correctional Medical Services |
|-------------------|--|

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

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| Date: May 2, 2008 | <u>/s/ Ophelia M. Waters</u> Ophelia M. Waters, (ID. #3879) Deputy Attorney General 820 N. French Street, 6th Floor Carvel State Building Wilmington DE 19801 (302) 577-8400 Ophelia.waters@state.de.us |
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WILLIAM FRANCIS, JR.,

Plaintiff,

V.

C. A. No. 07-015-JJF

WARDEN THOMAS CARROLL,
CORRECTIONAL MEDICAL SERVICES,
STAN TAYLOR, and JOYCE TALLEY,

Defendants.

CERTIFICATE OF SERVICE

I, Eileen M. Ford, Esquire, hereby certify that on May 2, 2008, I electronically filed the **Stipulation Regarding Joinder in Motion to Take Deposition of Plaintiff** with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following: Ophelia M. Waters. I have served via first class mail two copies of **Stipulation Regarding Joinder in Motion to Take Deposition of Plaintiff** to the Pro Se Plaintiff:

Inmate William Francis, Jr., *Pro Se*
SBI# 264560
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977
Via First Class US Mail

/s/ Eileen M. Ford
Eileen M. Ford, Esquire (ID No. 2870)
Marks, O'Neill, O'Brien & Courtney, P.C.
913 North Market Street, #800
Wilmington, DE 19801
(302) 658-6538
Attorney for Defendant